

**REMARKS**

Claims 1, 2, 4-7, 18-24, 29, 32-33, 35, and 37-38 are pending. Claims 1-2, 4-7, 18-24, 29, 32, 33, 35, and 37-42 have been rejected. Claims 1 and 32 have been amended. No new matter has been added.

**Claim Amendments**

Claims 1 and 32 have been amended to address the objections set forth by the Examiner. Claims 1 and 32 have also been amended to clarify that the second end portion of the shuttle member extends axially beyond the rotary and stationary seal rings. Support for the amendment can be found in the specification and figures.

**Claim Objections**

Claim 1 and Claim 32 have been amended as recommended by the Examiner. No new matter has been added by the present amendments.

**Claim Rejections – 35 U.S.C. §102**

Claims 1, 2, 6, 7, 18-20, 23, 29, 32, 33, 35, and 37-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark et al. (U.S. Patent No. 5,913,520).

Claims 1 and 32 are independent. Claims 2, 6, 7, 18-20, 23, 29, 33, 35, and 37-40 depend directly or indirectly from claims 1 and 32. In the Response to Arguments Section of the Office Action, the Examiner has indicated that the amendment to Claims 1 and 32, indicating that the second end portion opposite the first end portion of the carrier element of the shuttle member extends beyond the rotary and stationary seal rings, did not indicate which direction the second end portion extended. Applicants have herein addressed this by amending claims 1 and 32 to recite that the second end portion extends axially beyond the rotary and stationary seal rings. This can be seen in each of the figures of the present application wherein the second end (axially disposed inner portion 2b) extends axially beyond the end (axially inwardly extending wall 44) of the seal member. In the May 17 Examiner interview, the Examiner indicated this

structural limitation is not found in the Clark reference. Accordingly applicants now believe that amended claims 1 and 32 are in condition for allowance.

Claims 2, 6, 7, 18-20, 23, and 29 depend from amended claim 1 and claims 33, 35, and 37-40 depend from amended claim 32. As such claims 2, 6, 7, 18-20, 23, 29 and 33, 35, 37-40 incorporate each and every element of claims 1 and 32 respectively. Thus, since Clark fails to disclose each and every element of amended claims 1 and 32, Clark also fails to disclose each and every element of claims 2, 4, 6, 7, 18-20, 23, 29, 33, 35, 37, and 38.

In light of the foregoing remarks, Applicants respectfully submit that claims 1, 2, 6, 7, 18-20, 23, 29, 32, 33, 35, and 37-40 are not disclosed by Clark. Applicants therefore request the Examiner withdraw the rejections of claims 1, 2, 6, 7, 18-20, 23, 29, 32, 33, 35, and 37-40 under 35 U.S.C. §102(b), and pass the claims to allowance.

#### **Claim Rejections – 35 U.S.C. §103**

Claims 21, 22, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. in view of Azibert et al. (U.S. Patent No. 5,213,340). Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. in view of Azibert et al. (U.S. Patent No. 5,333,882). Applicants respectfully traverse the rejections.

Claims 21 and 22 depend from amended claim 1 and as such incorporate each and every element of amended claim 1. Claims 41 and 42 depend from claim 32 and as such incorporate each and every element of claim 32. As discussed above, each and every element of amended claims 1 and 32 are not found in Clark. Specifically, the limitation of the second end portion opposite the first end portion of the carrier element of the shuttle member extending axially beyond the rotary and stationary seal rings is not taught or suggested by Clark. The addition of Azibert (U.S. Patent No. 5,213,340) fails to cure this deficiency.

In light of the foregoing remarks, Applicants respectfully submit that claims 21, 22, 41 and 42 are not taught or suggested by Clark or Azibert (U.S. Patent No. 5,213,340), alone or in

combination. Applicants therefore request the Examiner withdraw the rejections of claims 21, 22, 41 and 42 under 35 U.S.C. §103 and pass the claims to allowance.

Claim 24 is dependent from claim 1 and as such incorporates each and every element of amended claim 1. As discussed above, each and every element of amended claim 1 are not found in Clark. Specifically, the limitation of the second end portion opposite the first end portion of the carrier element of the shuttle member extending axially beyond the rotary and stationary seal rings is not taught or suggested by Clark. The addition of Azibert (U.S. Patent No. 5,333,882) fails to cure this deficiency.

In light of the foregoing remarks, Applicants respectfully submit that claims 24 is not taught or suggested by Clark or Azibert (U.S. Patent No. 5,333,882) alone or in combination. Applicants therefore request the Examiner withdraw the rejections of claim 24 under 35 U.S.C. §103 and pass the claim to allowance.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: November 30, 2007

Respectfully submitted,

By

  
James M. McKenzie, Esq.

Registration No.: 51,146

LAHIVE & COCKFIELD, LLP

One Post Office Square

Boston, Massachusetts 02109-2127

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant